

# Notice of Allowability

Application No.

10/570,592

Examiner

Jimmy T. Nguyen

Applicant(s)

BABBINI, LIONELLO MORANDO

Art Unit

3725

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 2/8/07.
2. ☒ The allowed claim(s) is/are 1-7.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

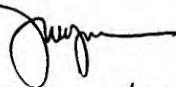
\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
JIMMY T. NGUYEN  
EXAMINER - AU3725

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Attorney Norman J. Latker on March 26, 2007.

The application has been amended as follows:

**In the abstract, line 6:**

The word "said" has been change to -- the --.

**In the abstract, line 9:**

The first and the second occurrence words "said", each has been change to -- the --.

**In the abstract, line 12:**

The word "said" has been change to -- the --.

**In the abstract, line 13:**

The word "said" has been change to -- the --.

**In the specification, page 5, line 14:**

Numeral references "21, 31" have been changed to -- 20, 30 --.

**In the specification, page 6, line 15:**

Numeral references "20 (or 30)" have been changed to -- 21 (or 31) --.

**In claim 1, line 2:**

The punctuation mark and the words ", in particular" have been changed to -- or --.

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**In claim 1, line 14:**

The words "at least lowerly" have been deleted.

**In claim 1, line 20:**

Between the words "pressed" and "material", the word -- fibrous -- has been inserted.

**In claim 1, line 25:**

The word "the" has been changed to -- a --.

**In claim 1, line 28:**

The word "presents" has been changed to -- having --.

**In claim 1, line 30:**

The words "said of" have been deleted.

**In claim 1, line 33:**

The word "the" has been deleted.

**In claim 3, line 2:**

The word "presents" has been changed to -- having --.

**In claim 4, line 3:**

The word "the" has been changed to -- a --.

**In claim 5, line 2:**

The words "each" has been changed to -- said corresponding rotary --.

**In claim 6, line 2:**

The words "the helixes (22, 32) are multi-start helixes" have been changed to -- each of the helical elements (20, 30) having three or more helixes wind about said corresponding rotary shaft --.

### ***Drawings***

The proposed drawing correction filed on February 08, 2007 has been acknowledged and approved. The drawing correction sufficiently overcomes the drawing objections noted in the previous Office action.

### ***Allowable Subject Matter***

Claims 1-7 are allowed.

The following is an examiner's statement of reasons for allowance:

Regarding claim 1, the claim is allowable because the art of record, considered alone or in combination, neither anticipates nor renders obvious a press comprising:.. said filtering case having an upper part and a lower part, ... *the upper part being modular structure having a plurality of modules, a distance between axes of each module of said plurality of modules is constant and is a sub-multiple of, or equal to, a dimension of the loading hopper measured along said predetermined axial direction, each of the modules comprising at least two of said upper hoops, said loading hopper being shiftable to a place that was occupied by one or more of said plurality of modules in which one or more of the modules replaced a place that was occupied by the loading hopper before it was shifted*, in combination with the rest of the claimed limitations.

Note that the amended recitation as claimed in the last six lines of claim 1 is not new matter because it has support in the last three lines of the original claim 1 and figures 3-4.

EP 0358837 A1 to Babbini is the closest prior art to the instant invention. Babbini discloses a press having a pair of helical elements (2), a perforated walled filtering case (3) supported by a series of equidistant hoops (15, 16), a loading hopper (fig. 1) fixed to the hoop, a

collecting sum (fig. 1). But Babbini fails to disclose or suggest the filtering case having an upper part being of modular structure in order to shift the hopper.

US 3,019,484 to Strohmeier teaches a screw press having a casing comprises several segments, any of which can be replaced by a feed hopper (7) to vary the position of the feed hopper from a high pressure screws assembly (3). Strohmeier does not disclose a pair of helical elements; and more importantly, Strohmeier does not disclose a perforated casing because the press of Strohmeier is not in the field of liquid extracting press.

Although, Babbini discloses the press having a pair of helical elements, a perforated walled filtering case supported by a series of equidistant hoops, a loading hopper, and a collecting sum, and Strohmeier discloses the press having a shifting hopper, there is no motivation to combine the references and such would be impermissible hindsight.

The rest of the prior art of record disclose various screw presses. But none of them teaches or suggests a double screws press having a shifting hopper as claimed in claim 1. Therefore, it is concluded by the Examiner that claim 1 and its dependents are allowable over the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jimmy T. Nguyen whose telephone number is (571) 272-4520.

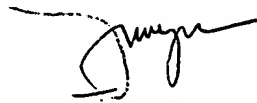
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The examiner can normally be reached on Monday-Thursday 7:30am-5:00pm with alternating Friday 7:30am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derris Banks can be reached on (571) 272- 4419. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JTNguyen  
March 29, 2007

  
JIMMY T. NGUYEN  
EXAMINER - AU3725



Appln. No. 10/570,592  
Amdt. dated February 8, 2007  
Reply to Office Action of November 9, 2006

REPLACEMENT DRAWING SHEET

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*Approved*  
*VTN - 3/26/2007*

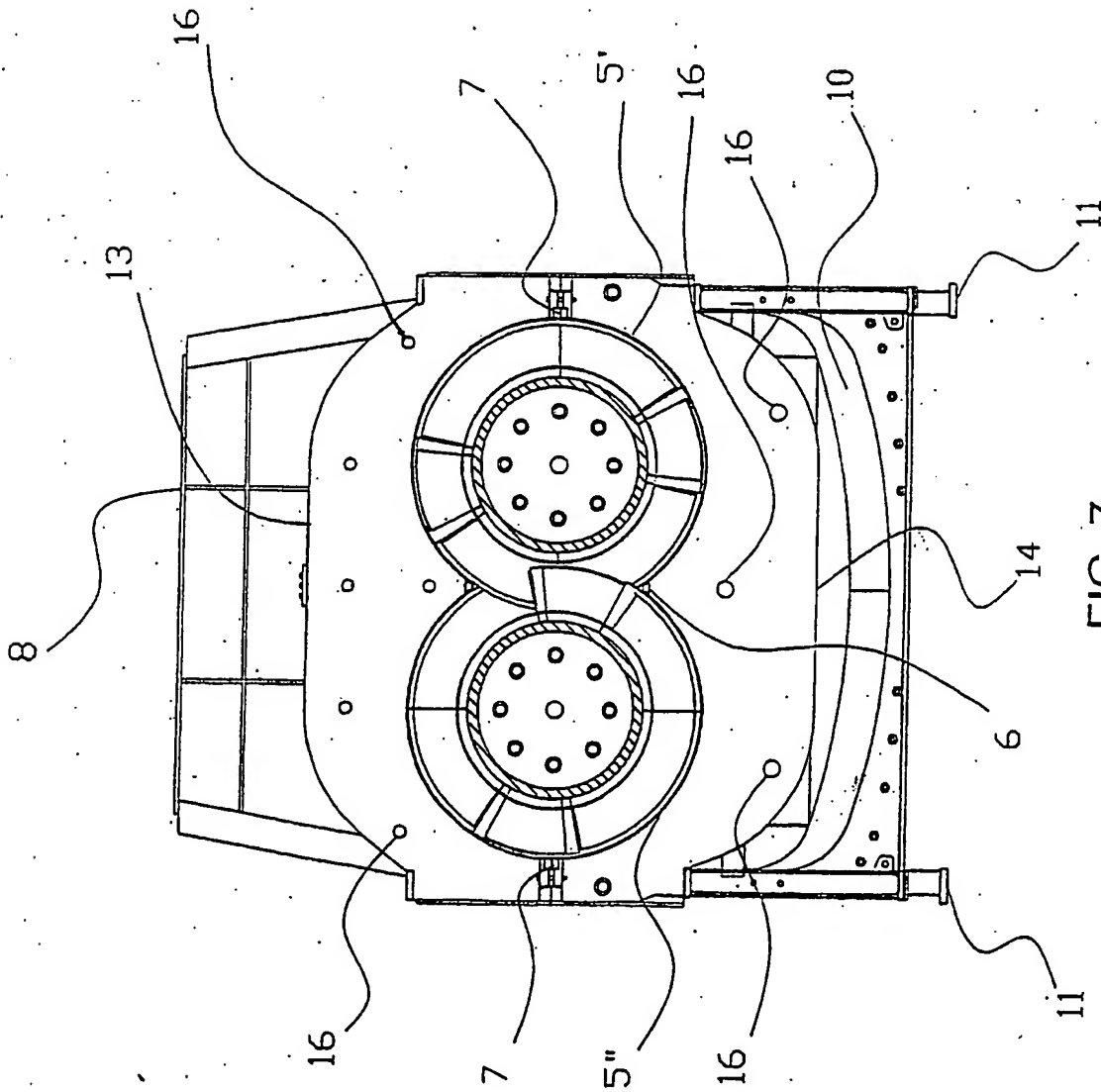


FIG. 7